

THE BURDEN OF PROOF

The unimproved property lot at 2214 Otis Street, NE, Lot 10 designation, is in zone R-1-B and located in the Woodbridge neighborhood of DC. This residential area consists primarily of single-family detached homes with front and rear yards as well as accessible side yards. The lot, although a record lot, was not provided an official address until November, 2022.

This 'buildable lot' existed prior to the area's current zoning requirement. The R-1-B zone requirement of a 5,000 square foot minimum lot area and a 50-foot minimum width was not required. The proposed construction of a planned single family detached structure on the subject lot will be non-conforming because the minimum side yard requirement in the R-1-B Zoning District cannot be met. The property is 25ft. wide and 159.69 ft. long.

The property lot is considered a 'buildable lot' per Zoning Regulations Subtitle C, Chapter 3, Section 301.1: A record lot existing prior to the effective date of this title that does not conform with the lot dimension and lot area requirements of the zone in which it is located may be considered a conforming lot for the purposes of building permits and uses provided any building or structure thereon shall meet the development standards of the relevant zone and provided the non-conformity shall not be increased.

The subject buildable lot requires a lot occupancy is 40%. We are able to provide a reasonable dwelling with 25% lot occupancy. However, a 'Special Exception' for the development of a new dwelling is requested because of the side yard reduction.

Subtitle D §5201.4

An application for special exception relief under this section shall demonstrate that the proposed addition, new principal building, or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, specifically:

- (a) The light and air available to neighboring properties shall not be unduly affected;*
- (b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;*
- (c) The proposed addition or accessory structure, together with the original building, or the new principal building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale, and pattern of houses along the street or alley frontage; and*
- (d) In demonstrating compliance with paragraphs (a), (b), and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition, new building, or accessory structure to adjacent buildings and views from public ways.*

ANALYSIS

Addressing Subtitle *D* §5201.4,

- (a) Both adjacent neighboring properties exist with a 14ft-2in side yard and when considering the 14ft- 2in side yards along with the propose 3ft-6in and 4ft-6in side yards for the proposed new home, sufficient space exists for achieving appropriate air and light, as well as space for pedestrian and small equipment movement along both sides of the proposed building.
- (b) Concerning privacy, a six-foot-tall fence currently separates the home located on the west from the proposed new structure. Additionally, both neighbors have committed support of the proposed new building.
- (c) The proposed new building with the 3ft-6in east proposed side area and the 4ft-6in west side area along with the existing 14ft-2in neighboring side yards was designed to be in harmony with the adjacent buildings and the others along the block to compliment the neighborhood.
- (d) The accompanying official photographs, plot plan, site plan, floor plans, elevations and renderings illustrate the proposed building's location on the site with its setback in line with adjacent structures, extensive rear landscaped and parking area. All features developed in harmony with adjacent structures and in a broader context the Woodridge Community. The new building when viewed from the street will not be out of scale, character, pattern or surface materials usage to neighborhood houses. To satisfy this section (d), the presentation includes a preliminary set of documents with:
 - 1) A proposed site plan
 - 2) A proposed cellar plan, proposed first floor plan, proposed second floor plan and proposed third floor plan
 - 3) The front elevation of the proposed new dwelling
 - 4) The proposed left side elevation
 - 5) The proposed rear elevation
 - 6) The proposed right-side elevation
 - 7) The Otis Street perspective views 1 and 2
 - 8) The rear elevation perspective views 1 and 2
 - 9) A site plan showing new building's location with side yard dimensions from adjacent houses
 - 10) A certified Plat Plan

The graphics provided in our submittal supports the enhancement of the site and illustrates the building's cohesive and positive impacts on adjacent properties and the community.

The Special Exception will not cause substantial detriment to the public good and will not impair the intent, integrity and purpose of the zone plan as represented in the Zoning Regulations and Map.

A Special Exception for 'Side Yard' relief to build a proposed three-story with cellar would not limit the light and air to the adjacent properties or to other dwellings in the

neighborhood. The rear of this 159 ft vacant yard area can accommodate two parking spaces and thus will not create any burden on street parking, as well.

CONCLUSION

The proposed project will contribute to the continued improvement to the Woodbridge area by developing a single family detached residence with an accessory apartment on an infill lot which would be compatible with other newer properties in the neighborhood. The improvement on this lot adds a new tastefully designed single-family home with expanded landscaping developed in harmony with the neighborhood. A new home will contribute to the DC tax base and provide new housing for the owners in the District of Columbia. The 'special exception' variance for the lot width will not generate any negative impacts to the zoning regulations or neighbors because the reduced lot width provides adequate pedestrian and small equipment access to both side yards, as well as, adequate light and air ventilation. Additionally, the adjacent neighbors have expressed support for the proposed new single-family home.

Respectfully submitted,

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